



DOCKET NO.: BUR920000215US1

#4/Election
5/23/02
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Agarwala *et al.*

) Examiner: Warren, Matthew E.
)

Serial No.: 09/871,883

) Art Unit: 2815
)

Filed: 6/1/01

For: **DUAL DAMASCENE MULTI-LEVEL METALLIZATION**

Commissioner for Patents
Washington, D.C. 20231

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Response to Restriction Requirement

Sir:

In response to the Restriction Requirement dated May 3, 2002, Applicants hereby provisionally elect Group I, claims 1-35, drawn to a semiconductor device, classified in class 257, subclass 758. This election is made with traverse, and Applicants hereby reserve the right to file a divisional application in connection with unelected claims 36-52 drawn to a method of making a semiconductor.

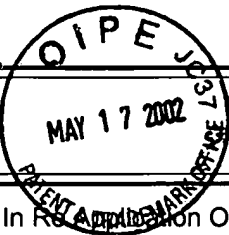
With regard to the Restriction Requirement, Applicants respectfully submit that the subject matter of all claims 1-52 is sufficiently related that a thorough search for the subject matter of any one group of claims would encompass a search for the subject matter of the remaining claims. Thus, Applicants respectfully submit that the search and the examination of the entire application could be made without serious burden. See MPEP § 803, in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits" (emphasis added). Applicants respectfully submit that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Should the Examiner require or request anything further from Applicants prior to examination, the Examiner is requested to contact Applicants' undersigned representative at the telephone number below. Otherwise, Applicants request early and favorable examination on the merits.

Jack P. Friedman
Jack P. Friedman
Reg. No. 44,688

Dated: 05/14/2002

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3 Lear Jet Lane - Suite 201
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GAY 2815

TRANSMITTAL LETTER
(General - Patent Pending)Docket No.
BUR920000215US1

In Re Application Of: Agarwala et al.

Serial No.
09/871,883Filing Date
6/1/01Examiner
Warren, Matthew E.Group Art Unit
2815

Title: DUAL DAMASCENE MULTI-LEVEL METALLIZATION

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Response to Restriction Requirement

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Assistant Commissioner is hereby authorized to charge and credit Deposit Account No. 09-0456(IBM) as described below. A duplicate copy of this sheet is enclosed.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.

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Dated: 05/14/2002

Jack P. Friedman
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(518) 220-1850I certify that this document and fee is being deposited
on 5/14/02 with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.
Signature of Person Mailing Correspondence

Kim Dwileski

Typed or Printed Name of Person Mailing Correspondence

CC: